

63C-11-101. Title.

This chapter is known as the "Pete Suazo Utah Athletic Commission Act."

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-102. Definitions.

As used in this chapter:

- (1) "Bodily injury" is as defined in Section 76-1-601.
- (2) "Boxing" means the sport of attack and defense using the fist, which is covered by an approved boxing glove.
- (3) (a) "Club fighting" means any contest of unarmed combat, whether admission is charged or not, where:
 - (i) the rules of the contest are not approved by the commission;
 - (ii) a licensed physician or osteopath approved by the commission is not in attendance;
 - (iii) a correct HIV negative test regarding each contestant has not been provided to the commission;
 - (iv) the contest is not conducted in accordance with commission rules; or
 - (v) the contestants are not matched by the weight standards established in accordance with Section 63C-11-316.
- (b) "Club fighting" does not include sparring if:
 - (i) it is conducted for training purposes;
 - (ii) no tickets are sold to spectators;
 - (iii) no concessions are available for spectators;
 - (iv) protective clothing, including protective headgear, a mouthguard, and a protective cup, is worn; and
 - (v) for boxing, 16 ounce boxing gloves are worn.
- (4) "Commission" means the Pete Suazo Utah Athletic Commission created by this chapter.
- (5) "Contest" means a live match, performance, or exhibition involving two or more persons engaged in unarmed combat.
- (6) "Contestant" means an individual who participates in a contest.
- (7) "Designated commission member" means a member of the commission designated to:
 - (a) attend and supervise a particular contest; and
 - (b) act on the behalf of the commission at a contest venue.
- (8) "Director" means the director appointed by the commission.
- (9) "Elimination unarmed combat contest" means a contest where:
 - (a) a number of contestants participate in a tournament;
 - (b) the duration is not more than 48 hours; and
 - (c) the loser of each contest is eliminated from further competition.
- (10) "Exhibition" means an engagement in which the participants show or display their skills without necessarily striving to win.
- (11) "Judge" means an individual qualified by training or experience to:
 - (a) rate the performance of contestants;

- (b) score a contest; and
 - (c) determine with other judges whether there is a winner of the contest or whether the contestants performed equally, resulting in a draw.
- (12) "Licensee" means an individual licensed by the commission to act as a:
- (a) contestant;
 - (b) judge;
 - (c) manager;
 - (d) promoter;
 - (e) referee;
 - (f) second; or
 - (g) other official established by the commission by rule.
- (13) "Manager" means an individual who represents a contestant for the purpose of:
- (a) obtaining a contest for a contestant;
 - (b) negotiating terms and conditions of the contract under which the contestant will engage in a contest; or
 - (c) arranging for a second for the contestant at a contest.
- (14) "Promoter" means a person who engages in producing or staging contests and promotions.
- (15) "Promotion" means a single contest or a combination of contests that:
- (a) occur during the same time and at the same location; and
 - (b) is produced or staged by a promoter.
- (16) "Purse" means any money, prize, remuneration, or any other valuable consideration a contestant receives or may receive for participation in a contest.
- (17) "Referee" means an individual qualified by training or experience to act as the official attending a contest at the point of contact between contestants for the purpose of:
- (a) enforcing the rules relating to the contest;
 - (b) stopping the contest in the event the health, safety, and welfare of a contestant or any other person in attendance at the contest is in jeopardy; and
 - (c) acting as a judge if so designated by the commission.
- (18) "Round" means one of a number of individual time periods that, taken together, constitute a contest during which contestants are engaged in a form of unarmed combat.
- (19) "Second" means an individual who attends a contestant at the site of the contest before, during, and after the contest in accordance with contest rules.
- (20) "Serious bodily injury" is as defined in Section 76-1-601.
- (21) "Total gross receipts" means the amount of the face value of all tickets sold to a particular contest plus any sums received as consideration for holding the contest at a particular location.
- (22) "Ultimate fighting" means a live contest, whether or not an admission fee is charged, in which:
- (a) contest rules permit contestants to use a combination of boxing, kicking, wrestling, hitting, punching, or other combative contact techniques;
 - (b) contest rules incorporate a formalized system of combative techniques

against which a contestant's performance is judged to determine the prevailing contestant;

(c) contest rules divide nonchampionship contests into three equal and specified rounds of no more than five minutes per round with a rest period of one minute between each round;

(d) contest rules divide championship contests into five equal and specified rounds of no more than five minutes per round with a rest period of one minute between each round; and

(e) contest rules prohibit contestants from:

(i) using anything that is not part of the human body, except for boxing gloves, to intentionally inflict serious bodily injury upon an opponent through direct contact or the expulsion of a projectile;

(ii) striking a person who demonstrates an inability to protect himself from the advances of an opponent;

(iii) biting; or

(iv) direct, intentional, and forceful strikes to the eyes, groin area, Adam's apple area of the neck, and the rear area of the head and neck.

(23) (a) "Unarmed combat" means boxing or any other form of competition in which a blow is usually struck which may reasonably be expected to inflict bodily injury.

(b) "Unarmed combat" does not include a competition or exhibition between participants in which the participants engage in simulated combat for entertainment purposes.

(24) "Unlawful conduct" means organizing, promoting, or participating in a contest which involves contestants that are not licensed under this chapter.

(25) "Unprofessional conduct" means:

(a) entering into a contract for a contest in bad faith;

(b) participating in any sham or fake contest;

(c) participating in a contest pursuant to a collusive understanding or agreement in which the contestant competes in or terminates the contest in a manner that is not based upon honest competition or the honest exhibition of the skill of the contestant;

(d) engaging in an act or conduct that is detrimental to a contest, including any foul or unsportsmanlike conduct in connection with a contest;

(e) failing to comply with any limitation, restriction, or condition placed on a license;

(f) striking of a downed opponent by a contestant while the contestant remains on the contestant's feet, unless the designated commission member or director has exempted the contest and each contestant from the prohibition on striking a downed opponent before the start of the contest;

(g) after entering the ring or contest area, penetrating an area within four feet of an opponent by a contestant, manager, or second before the commencement of the contest; or

(h) as further defined by rules made by the commission under Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(26) "White-collar contest" means a contest conducted at a training facility where no alcohol is served in which:

- (a) for boxing:
 - (i) neither contestant is or has been a licensed contestant in any state or an amateur registered with USA Boxing, Inc.;
 - (ii) no cash prize, or other prize valued at greater than \$35, is awarded;
 - (iii) protective clothing, including protective headgear, a mouthguard, a protective cup, and for a female contestant a chestguard, is worn;
 - (iv) 16 ounce boxing gloves are worn;
 - (v) the contest is no longer than three rounds of no longer than three minutes each;
 - (vi) no winner or loser is declared or recorded; and
 - (vii) the contestants do not compete in a cage; and
- (b) for ultimate fighting:
 - (i) neither contestant is or has been a licensed contestant in any state or an amateur registered with USA Boxing, Inc.;
 - (ii) no cash prize, or other prize valued at greater than \$35, is awarded;
 - (iii) protective clothing, including a protective mouthguard and a protective cup, is worn;
 - (iv) downward elbow strikes are not allowed;
 - (v) a contestant is not allowed to stand and strike a downed opponent;
 - (vi) a closed-hand blow to the head is not allowed while either contestant is on the ground;
 - (vii) the contest is no longer than three rounds of no longer than three minutes each; and
 - (viii) no winner or loser is declared or recorded.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-201. Commission -- Creation -- Appointments -- Terms -- Expenses -- Quorum.

(1) There is created within the Governor's Office of Economic Development the Pete Suazo Utah Athletic Commission consisting of five members.

(2) (a) The governor shall appoint three commission members.

(b) The president of the Senate and the speaker of the House of Representatives shall each appoint one commission member.

(c) The commission members may not be licensees under this chapter.

(d) A member of the commission serving on June 30, 2009, shall continue as a member of the commission until the expiration of the member's term then existing, or until the expiration of any subsequent term to which the member is appointed.

(3) (a) Except as required by Subsection (3)(b), as terms of current members expire, the governor, president, or speaker, respectively, shall appoint each new member or reappointed member to a four-year term.

(b) The governor shall, at the time of appointment or reappointment, adjust the length of the governor's appointees' terms to ensure that the terms of members are staggered so that approximately half of the commission is appointed every two years.

(c) When a vacancy occurs in the membership for any reason, the replacement

shall be appointed for the unexpired term.

(d) If a commission member fails or refuses to fulfill the responsibilities and duties of a commission member, including the attendance at commission meetings, the governor, president, or speaker, respectively, with the approval of the commission, may remove the commission member and replace the member in accordance with this section.

(4) (a) A majority of the commission members constitutes a quorum.

(b) A majority of a quorum is sufficient authority for the commission to act.

(5) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(6) The commission shall annually designate one of its members to serve as chair for a one-year period.

Amended by Chapter 286, 2010 General Session

63C-11-202. Commission powers and duties.

(1) The commission shall:

(a) purchase and use a seal;

(b) adopt rules for the administration of this chapter in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

(c) prepare all forms of contracts between sponsors, licensees, promoters, and contestants; and

(d) hold hearings relating to matters under its jurisdiction, including violations of this chapter or rules made under this chapter.

(2) The commission may subpoena witnesses, take evidence, and require the production of books, papers, documents, records, contracts, recordings, tapes, correspondence, or other information relevant to an investigation if the commission or its designee considers it necessary.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-203. Commission director.

(1) The commission shall employ a director, who may not be a member of the commission, to conduct the commission's business.

(2) The director serves at the pleasure of the commission.

Enacted by Chapter 369, 2009 General Session

63C-11-204. Inspectors.

(1) The commission may appoint one or more official representatives to be designated as inspectors, who shall serve at the pleasure of the commission.

(2) Each inspector must receive from the commission a card authorizing that inspector to act as an inspector for the commission.

(3) An inspector may not promote or sponsor any contest.

(4) Each inspector may receive a fee approved by the commission for the performance of duties under this chapter.

Enacted by Chapter 369, 2009 General Session

63C-11-205. Affiliation with other commissions.

The commission may affiliate with any other state, tribal, or national boxing commission or athletic authority.

Enacted by Chapter 369, 2009 General Session

63C-11-301. Licensing.

(1) A license is required for a person to act as or to represent that the person is:

(a) a promoter;

(b) a manager;

(c) a contestant;

(d) a second;

(e) a referee;

(f) a judge; or

(g) another official established by the commission by rule.

(2) The commission shall issue to a person who qualifies under this chapter a license in the classifications of:

(a) promoter;

(b) manager;

(c) contestant;

(d) second;

(e) referee;

(f) judge; or

(g) another official who meets the requirements established by rule under Subsection (1)(g).

(3) (a) All money collected pursuant to this section and Sections 63C-11-304, 63C-11-307, 63C-11-310, and 63C-11-313 shall be retained as dedicated credits to pay for commission expenses.

(b) All money available to the commission under Subsection (3)(a) to pay for commission expenses is nonlapsing for fiscal year 2009-10 only.

(4) Each applicant for licensure as a promoter shall:

(a) submit an application in a form prescribed by the commission;

(b) pay the fee determined by the commission under Section 63J-1-504;

(c) provide to the commission evidence of financial responsibility, which shall include financial statements and other information that the commission may reasonably require to determine that the applicant or licensee is able to competently perform as and meet the obligations of a promoter in this state;

- (d) make assurances that the applicant:
 - (i) is not engaging in illegal gambling with respect to sporting events or gambling with respect to the promotions the applicant is promoting;
 - (ii) has not been found in a criminal or civil proceeding to have engaged in or attempted to engage in any fraud or misrepresentation in connection with a contest or any other sporting event; and
 - (iii) has not been found in a criminal or civil proceeding to have violated or attempted to violate any law with respect to a contest in any jurisdiction or any law, rule, or order relating to the regulation of contests in this state or any other jurisdiction;
 - (e) acknowledge in writing to the commission receipt, understanding, and intent to comply with this chapter and the rules made under this chapter; and
 - (f) if requested by the commission or the director, meet with the commission or the director to examine the applicant's qualifications for licensure.
- (5) Each applicant for licensure as a contestant shall:
- (a) be not less than 18 years of age at the time the application is submitted to the commission;
 - (b) submit an application in a form prescribed by the commission;
 - (c) pay the fee established by the commission under Section 63J-1-504;
 - (d) provide a certificate of physical examination, dated not more than 60 days prior to the date of application for licensure, in a form provided by the commission, completed by a licensed physician and surgeon certifying that the applicant is free from any physical or mental condition that indicates the applicant should not engage in activity as a contestant;
 - (e) make assurances that the applicant:
 - (i) is not engaging in illegal gambling with respect to sporting events or gambling with respect to a contest in which the applicant will participate;
 - (ii) has not been found in a criminal or civil proceeding to have engaged in or attempted to have engaged in any fraud or misrepresentation in connection with a contest or any other sporting event; and
 - (iii) has not been found in a criminal or civil proceeding to have violated or attempted to violate any law with respect to contests in any jurisdiction or any law, rule, or order relating to the regulation of contests in this state or any other jurisdiction;
 - (f) acknowledge in writing to the commission receipt, understanding, and intent to comply with this chapter and the rules made under this chapter; and
 - (g) if requested by the commission or the director, meet with the commission or the director to examine the applicant's qualifications for licensure.
- (6) Each applicant for licensure as a manager or second shall:
- (a) submit an application in a form prescribed by the commission;
 - (b) pay a fee determined by the commission under Section 63J-1-504;
 - (c) make assurances that the applicant:
 - (i) is not engaging in illegal gambling with respect to sporting events or gambling with respect to a contest in which the applicant is participating;
 - (ii) has not been found in a criminal or civil proceeding to have engaged in or attempted to have engaged in any fraud or misrepresentation in connection with a contest or any other sporting event; and

(iii) has not been found in a criminal or civil proceeding to have violated or attempted to violate any law with respect to a contest in any jurisdiction or any law, rule, or order relating to the regulation of contests in this state or any other jurisdiction;

(d) acknowledge in writing to the commission receipt, understanding, and intent to comply with this chapter and the rules made under this chapter; and

(e) if requested by the commission or director, meet with the commission or the director to examine the applicant's qualifications for licensure.

(7) Each applicant for licensure as a referee or judge shall:

(a) submit an application in a form prescribed by the commission;

(b) pay a fee determined by the commission under Section 63J-1-504;

(c) make assurances that the applicant:

(i) is not engaging in illegal gambling with respect to sporting events or gambling with respect to a contest in which the applicant is participating;

(ii) has not been found in a criminal or civil proceeding to have engaged in or attempted to have engaged in any fraud or misrepresentation in connection with a contest or any other sporting event; and

(iii) has not been found in a criminal or civil proceeding to have violated or attempted to violate any law with respect to contests in any jurisdiction or any law, rule, or order relating to the regulation of contests in this state or any other jurisdiction;

(d) acknowledge in writing to the commission receipt, understanding, and intent to comply with this chapter and the rules made under this chapter;

(e) provide evidence satisfactory to the commission that the applicant is qualified by training and experience to competently act as a referee or judge in a contest; and

(f) if requested by the commission or the director, meet with the commission or the director to examine the applicant's qualifications for licensure.

(8) The commission may make rules concerning the requirements for a license under this chapter, that deny a license to an applicant for the violation of a crime that, in the commission's determination, would have a material affect on the integrity of a contest held under this chapter.

(9) (a) A licensee serves at the pleasure, and under the direction, of the commission while participating in any way at a contest.

(b) A licensee's license may be suspended, or a fine imposed, if the licensee does not follow the commission's direction at an event or contest.

Amended by Chapter 342, 2011 General Session

63C-11-302. Term of license -- Expiration -- Renewal.

(1) The commission shall issue each license under this chapter in accordance with a renewal cycle established by rule.

(2) At the time of renewal, the licensee shall show satisfactory evidence of compliance with renewal requirements established by rule by the commission.

(3) Each license automatically expires on the expiration date shown on the license unless the licensee renews it in accordance with the rules established by the commission.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-303. Grounds for denial of license -- Disciplinary proceedings -- Reinstatement.

(1) The commission shall refuse to issue a license to an applicant and shall refuse to renew or shall revoke, suspend, restrict, place on probation, or otherwise act upon the license of a licensee who does not meet the qualifications for licensure under this chapter.

(2) The commission may refuse to issue a license to an applicant and may refuse to renew or may revoke, suspend, restrict, place on probation, issue a public or private reprimand to, or otherwise act upon the license of any licensee if:

(a) the applicant or licensee has engaged in unlawful or unprofessional conduct, as defined by statute or rule under this chapter;

(b) the applicant or licensee has been determined to be mentally incompetent for any reason by a court of competent jurisdiction; or

(c) the applicant or licensee is unable to practice the occupation or profession with reasonable skill and safety because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or any other type of material, or as a result of any other mental or physical condition, when the licensee's condition demonstrates a threat or potential threat to the public health, safety, or welfare, as determined by a ringside physician or the commission.

(3) Any licensee whose license under this chapter has been suspended, revoked, or restricted may apply for reinstatement of the license at reasonable intervals and upon compliance with any conditions imposed upon the licensee by statute, rule, or terms of the license suspension, revocation, or restriction.

(4) The commission may issue cease and desist orders:

(a) to a licensee or applicant who may be disciplined under Subsection (1) or (2); and

(b) to any person who otherwise violates this chapter or any rules adopted under this chapter.

(5) (a) The commission may impose an administrative fine for acts of unprofessional or unlawful conduct under this chapter.

(b) An administrative fine under this Subsection (5) may not exceed \$2,500 for each separate act of unprofessional or unlawful conduct.

(c) The commission shall comply with Title 63G, Chapter 4, Administrative Procedures Act, in any action to impose an administrative fine under this chapter.

(d) The imposition of a fine under this Subsection (5) does not affect any other action the commission or department may take concerning a license issued under this chapter.

(6) (a) The commission may not take disciplinary action against any person for unlawful or unprofessional conduct under this chapter, unless the commission initiates an adjudicative proceeding regarding the conduct within four years after the conduct is reported to the commission, except under Subsection (6)(b).

(b) The commission may not take disciplinary action against any person for

unlawful or unprofessional conduct more than 10 years after the occurrence of the conduct, unless the proceeding is in response to a civil or criminal judgment or settlement and the proceeding is initiated within one year following the judgment or settlement.

(7) (a) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, the following may immediately suspend the license of a licensee at such time and for such period that the following believes is necessary to protect the health, safety, and welfare of the licensee, another licensee, or the public:

- (i) the commission;
- (ii) a designated commission member; or
- (iii) if a designated commission member is not present, the director.

(b) The commission shall establish by rule appropriate procedures to invoke the suspension and to provide a suspended licensee a right to a hearing before the commission with respect to the suspension within a reasonable time after the suspension.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-304. Additional fees for license of promoter -- Dedicated credits -- Promotion of contests -- Annual exemption of showcase event.

(1) In addition to the payment of any other fees and money due under this chapter, every promoter shall pay a license fee determined by the commission and established in rule.

(a) License fees collected under Subsection (1)(a) from professional boxing contests or exhibitions shall be retained by the commission as a dedicated credit to be used by the commission to award grants to organizations that promote amateur boxing in the state and cover commission expenses.

(b) Money available to the commission for awarding grants to organizations that promote amateur boxing in the state and covering commission expenses is nonlapsing for fiscal year 2009-10 only.

(2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission shall adopt rules:

(a) governing the manner in which applications for grants under Subsection (1) may be submitted to the commission; and

(b) establishing standards for awarding grants under Subsection (1) to organizations which promote amateur boxing in the state.

(3) (a) For the purpose of creating a greater interest in contests in the state, the commission may exempt from the payment of license fees under this section one contest or exhibition in each calendar year, intended as a showcase event.

(b) The commission shall select the contest or exhibition to be exempted based on factors which include:

- (i) attraction of the optimum number of spectators;
- (ii) costs of promoting and producing the contest or exhibition;
- (iii) ticket pricing;
- (iv) committed promotions and advertising of the contest or exhibition;

- (v) rankings and quality of the contestants; and
- (vi) committed television and other media coverage of the contest or exhibition.

Amended by Chapter 342, 2011 General Session

63C-11-305. Jurisdiction of commission.

(1) (a) The commission has the sole authority concerning direction, management, control, and jurisdiction over all contests or exhibitions of unarmed combat to be conducted, held, or given within this state.

(b) A contest or exhibition may not be conducted, held, or given within this state except in accordance with this chapter.

(2) Any contest involving a form of unarmed self-defense must be conducted pursuant to rules for that form which are approved by the commission before the contest is conducted, held, or given.

(3) (a) An area not less than six feet from the perimeter of the ring shall be reserved for the use of:

- (i) the designated commission member;
- (ii) other commission members in attendance;
- (iii) the director;
- (iv) commission employees;
- (v) officials;
- (vi) licensees participating or assisting in the contest; and
- (vii) others granted credentials by the commission.

(b) The promoter shall provide security at the direction of the commission or designated commission member to secure the area described in Subsection (3)(a).

(4) The area described in Subsection (3), the area in the dressing rooms, and other areas considered necessary by the designated commission member for the safety and welfare of a licensee and the public shall be reserved for the use of:

- (a) the designated commission member;
- (b) other commission members in attendance;
- (c) the director;
- (d) commission employees;
- (e) officials;
- (f) licensees participating or assisting in the contest; and
- (g) others granted credentials by the commission.

(5) The promoter shall provide security at the direction of the commission or designated commission member to secure the areas described in Subsections (3) and (4).

(6) (a) The designated commission member may direct the removal from the contest venue and premises, of any individual whose actions:

- (i) are disruptive to the safe conduct of the contest; or
- (ii) pose a danger to the safety and welfare of the licensees, the commission, or the public, as determined by the designated commission member.

(b) The promoter shall provide security at the direction of the commission or designated commission member to effectuate a removal under Subsection (6)(a).

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-306. Club fighting prohibited.

- (1) Club fighting is prohibited.
- (2) Any person who publicizes, promotes, conducts, or engages in a club fighting match is:
 - (a) guilty of a class A misdemeanor as provided in Section 76-9-705; and
 - (b) subject to license revocation under this chapter.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-307. Approval to hold contest or promotion -- Bond required.

- (1) An application to hold a contest or multiple contests as part of a single promotion shall be made by a licensed promoter to the commission on forms provided by the commission.
- (2) The application shall be accompanied by a contest fee determined by the commission under Section 63J-1-505.
- (3) (a) The commission may approve or deny approval to hold a contest or promotion permitted under this chapter.
(b) Provisional approval under Subsection (3)(a) shall be granted upon a determination by the commission that:
 - (i) the promoter of the contest or promotion is properly licensed;
 - (ii) a bond meeting the requirements of Subsection (6) has been posted by the promoter of the contest or promotion; and
 - (iii) the contest or promotion will be held in accordance with this chapter and rules made under this chapter.
- (4) (a) Final approval to hold a contest or promotion may not be granted unless the commission receives, not less than seven days before the day of the contest with 10 or more rounds:
 - (i) proof of a negative HIV test performed not more than 180 days before the day of the contest for each contestant;
 - (ii) a copy of each contestant's federal identification card;
 - (iii) a copy of a signed contract between each contestant and the promoter for the contest;
 - (iv) a statement specifying the maximum number of rounds of the contest;
 - (v) a statement specifying the site, date, and time of weigh-in; and
 - (vi) the name of the physician selected from among a list of registered and commission-approved ringside physicians who shall act as ringside physician for the contest.
(b) Notwithstanding Subsection (4)(a), the commission may approve a contest or promotion if the requirements under Subsection (4)(a) are not met because of unforeseen circumstances beyond the promoter's control.
- (5) Final approval for a contest under 10 rounds in duration may be granted as determined by the commission after receiving the materials identified in Subsection (4)

at a time determined by the commission.

(6) An applicant shall post a surety bond or cashier's check with the commission in the greater of \$10,000 or the amount of the purse, providing for forfeiture and disbursement of the proceeds if the applicant fails to comply with:

- (a) the requirements of this chapter; or
- (b) rules made under this chapter relating to the promotion or conduct of the contest or promotion.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-308. Rules for the conduct of contests.

(1) The commission shall adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the conduct of contests in the state.

(2) The rules shall include:

- (a) authority for:
 - (i) stopping contests; and
 - (ii) impounding purses with respect to contests when there is a question with respect to the contest, contestants, or any other licensee associated with the contest; and

(b) reasonable and necessary provisions to ensure that all obligations of a promoter with respect to any promotion or contest are paid in accordance with agreements made by the promoter.

(3) (a) The commission may, in its discretion, exempt a contest and each contestant from the definition of unprofessional conduct found in Subsection 63C-11-102(25)(f) after:

- (i) a promoter requests the exemption; and
- (ii) the commission considers relevant factors, including:
 - (A) the experience of the contestants;
 - (B) the win and loss records of each contestant;
 - (C) each contestant's level of training; and
 - (D) any other evidence relevant to the contestants' professionalism and the ability to safely conduct the contest.

(b) The commission's hearing of a request for an exemption under this Subsection (3) is an informal adjudicative proceeding under Section 63G-4-202.

(c) The commission's decision to grant or deny a request for an exemption under this Subsection (3) is not subject to agency review under Section 63G-4-301.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-309. Medical examinations and drug tests.

(1) The commission shall adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for medical examinations and drug testing of contestants, including provisions under which contestants shall:

- (a) produce evidence based upon competent laboratory examination that they are HIV negative as a condition of participating as a contestant in any contest;

(b) be subject to random drug testing before or after participation in a contest, and sanctions, including barring participation in a contest or withholding a percentage of any purse, that shall be placed against a contestant testing positive for alcohol or any other drug that in the opinion of the commission is inconsistent with the safe and competent participation of that contestant in a contest;

(c) be subject to a medical examination by the ringside physician not more than 30 hours before the contest to identify any physical ailment or communicable disease that, in the opinion of the commission or designated commission member, are inconsistent with the safe and competent participation of that contestant in the contest; and

(d) be subject to medical testing for communicable diseases as considered necessary by the commission to protect the health, safety, and welfare of the licensees and the public.

(2) (a) Medical information concerning a contestant shall be provided by the contestant or medical professional or laboratory.

(b) A promoter or manager may not provide to or receive from the commission medical information concerning a contestant.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-310. Contests.

(1) Except as provided in Section 63C-11-317, a licensee may not participate in an unarmed combat contest within a predetermined time after another unarmed combat contest, as prescribed in rules made by the commission.

(2) During the period of time beginning 60 minutes before the beginning of a contest, the promoter shall demonstrate the promoter's compliance with the commission's security requirements to all commission members present at the contest.

(3) The commission shall establish fees in accordance with Section 63J-1-504 to be paid by a promoter for the conduct of each contest or event composed of multiple contests conducted under this chapter.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-311. Ringside physician.

(1) The commission shall maintain a list of ringside physicians who hold a Doctor of Medicine (MD) degree and are registered with the commission as approved to act as a ringside physician and meet the requirements of Subsection (2).

(2) (a) The commission shall appoint a registered ringside physician to perform the duties of a ringside physician at each contest held pursuant to this chapter.

(b) The promoter of a contest shall pay a fee determined by the commission by rule to the commission for a ringside physician.

(3) An applicant for registration as a ringside physician shall:

(a) submit an application for registration;

(b) provide the commission with evidence of the applicant's licensure to practice medicine in the state; and

- (c) satisfy minimum qualifications established by the department by rule.
- (4) A ringside physician at attendance at a contest:
 - (a) may stop the contest at any point if the ringside physician determines that a contestant's physical condition renders the contestant unable to safely continue the contest; and
 - (b) works under the direction of the commission.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-312. Contracts.

Before a contest is held, a copy of the signed contract or agreement between the promoter of the contest and each contestant shall be filed with the commission. Approval of the contract's terms and conditions shall be obtained from the commission as a condition precedent to the contest.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-313. Withholding of purse.

(1) The commission, the director, or any other agent authorized by the commission may order a promoter to withhold any part of a purse or other money belonging or payable to any contestant, manager, or second if, in the judgment of the commission, director, or other agent:

(a) the contestant is not competing honestly or to the best of the contestant's skill and ability or the contestant otherwise violates any rules adopted by the commission or any of the provisions of this chapter; or

(b) the manager or second violates any rules adopted by the commission or any of the provisions of this chapter.

(2) This section does not apply to any contestant in a wrestling exhibition who appears not to be competing honestly or to the best of the contestant's skill and ability.

(3) Upon the withholding of any part of a purse or other money pursuant to this section, the commission shall immediately schedule a hearing on the matter, provide adequate notice to all interested parties, and dispose of the matter as promptly as possible.

(4) If it is determined that a contestant, manager, or second is not entitled to any part of that person's share of the purse or other money, the promoter shall pay the money over to the commission.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-314. Penalty for unlawful conduct.

A person who engages in any act of unlawful conduct, as defined in Section 63C-11-102, is guilty of a class A misdemeanor.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-315. Exemptions.

This chapter does not apply to:

- (1) any amateur contest or exhibition of unarmed combat conducted by or participated in exclusively by:
 - (a) a school accredited by the Utah Board of Education;
 - (b) a college or university accredited by the United States Department of Education; or
 - (c) any association or organization of a school, college, or university described in Subsections (1)(a) and (b), when each participant in the contests or exhibitions is a bona fide student in the school, college, or university;
- (2) any contest or exhibition of unarmed combat conducted in accordance with the standards and regulations of USA Boxing, Inc.; or
- (3) a white-collar contest.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-316. Contest weights and classes -- Matching contestants.

- (1) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing boxing contest weights and classes consistent with those adopted by the Association of Boxing Commissions.
- (2) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing contest weights and classes for unarmed combat that is not boxing.
- (3) (a) As to any unarmed combat contest, a contestant may not fight another contestant who is outside of the contestant's weight classification.
- (b) Notwithstanding Subsection (3)(a), the commission may permit a contestant to fight another contestant who is outside of the contestant's weight classification.
- (4) Except as provided in Subsection (3)(b), as to any unarmed combat contest:
 - (a) a contestant who has contracted to participate in a given weight class may not be permitted to compete if the contestant is not within that weight class at the weigh-in; and
 - (b) a contestant may have two hours to attempt to gain or lose not more than three pounds in order to be reweighed.
- (5) (a) As to any unarmed combat contest, the commission may not allow a contest in which the contestants are not fairly matched.
- (b) Factors in determining if contestants are fairly matched include:
 - (i) the win-loss record of the contestants;
 - (ii) the weight differential between the contestants;
 - (iii) the caliber of opponents for each contestant;
 - (iv) each contestant's number of fights; and
 - (v) previous suspensions or disciplinary actions of the contestants.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-317. Elimination contests -- Conduct of contests -- Applicability of

**provisions -- Limitations on license -- Duration of contests -- Equipment --
Limitations on contests.**

(1) An elimination unarmed combat contest shall be conducted under the supervision and authority of the commission.

(2) Except as otherwise provided in this section and except as otherwise provided by specific statute, the provisions of this chapter pertaining to boxing apply to an elimination unarmed combat contest.

(3) (a) All contests in an elimination unarmed combat contest shall be no more than three rounds in duration.

(b) A round of unarmed combat in an elimination unarmed combat contest shall:

(i) be no more than one minute in duration; or

(ii) be up to three minutes in duration if there is only a single round.

(c) A period of rest following a round shall be no more than one minute in duration.

(4) A contestant:

(a) shall wear gloves approved by the commission; and

(b) shall wear headgear approved by the commission, the designated commission member, or the director if a designated commission member is not present.

(5) A contestant may participate in more than one contest, but may not participate in more than a total of seven rounds in the entire tournament.

Repealed and Re-enacted by Chapter 369, 2009 General Session

63C-11-318. Commission rulemaking.

The commission may make rules governing the conduct of a contest held under this chapter to protect the health and safety of licensees and members of the public.

Repealed and Re-enacted by Chapter 369, 2009 General Session